

**MINUTES**  
**State Allocation Board**  
**September 27, 2000**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 of the State Capitol in Sacramento, California on September 27, 2000 at 10:00 a.m.

Members of the Board present were as follows:

- Annette Porini, Chief Deputy Director  
Designated Chair for B. Timothy Gage, Director, Department of Finance
- Karen McGagin, Deputy Director  
Designated representative for Barry D. Keene, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
Designated representative for Delaine Eastin, Superintendent of Public Instruction
- Senator Dede Alpert
- Senator Jack O'Connell
- Assembly Member Marco Firebaugh
- Assembly Member Darrell Steinberg

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Interim Executive Officer  
Bruce Hancock, Assistant Executive Officer

Representative of the Department of General Services, Office of Public School Construction (OPSC) was as follows:

Luisa M. Park, Interim Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Porini, Chair, called the meeting to order at 10:11 a.m.

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 10:12 a.m. to confer with and receive advice from legal counsel regarding litigation titled Godinez, et al. versus Davis, et al., (Los Angeles County Superior Court Case #BC227352) in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 11:37 a.m.

**PRIOR MINUTES**

A motion was made and carried to approve the Minutes of the August 23, 2000 SAB meeting.

**CONSENT ITEMS**

The Board approved the Consent calendar as presented.

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

**NORTHRIDGE EARTHQUAKE PROGRAM**

In considering this item, the Board approved the staff's recommendations.

**SPECIAL CONSENT ITEMS*****Requests for Use of New Construction School Facility Program Grants***

In considering this item, the Board approved the staff's recommendation. However, the SAB specified that it wanted an evaluation presented at a future SAB meeting regarding the "Use of Grants" policy and consideration of a provision to discontinue approval for projects that do not build classrooms to house pupils.

***Time Extension Request for Lease-Purchase Project***

In considering this item, the Board approved the staff's recommendation.

**POLICY/REGULATIONS*****Priority Points - Proposed Regulations (Assembly Bill 562)***

Several individuals addressed the Board regarding their concerns about the proposed regulations relating to funding priorities for new construction projects under the School Facility Program. A list of those individuals is attached and marked Attachment "A".

On behalf of Barry D. Keene, Director of the Department of General Services, Karen McGagin asked the SAB to consider a provision in the regulations that would place a higher priority on proposed projects that strive to be energy-efficient. A copy of that memo is attached and marked Attachment "B".

In considering this item, the Board approved the staff's recommendations with the following modifications:

Alter Option Number One to reflect that:

- The new construction funding applications not yet approved by the SAB are subject to priority points (PP);
- The final PP administration date will be based on complete new construction funding applications received and accepted by June 26, 2002. The final apportionment of funds under PP will be made at the August 2002 SAB meeting;
- The amount of funding available on the final administration date will not be less than \$450 million; and
- There will be no PP threshold.

Further, the Board amended Recommendation Number Four by adding the following issues to be considered by the SAB Implementation Committee:

- The calculation of PP due to concerns that it may disadvantage both small and medium-size school districts;

- The possibility of modifying the PP calculation to add points for constructing projects that are energy efficient; and
- The possibility of exempting all County Superintendent of School projects that house disabled persons, both severe and non-severe.

Additionally, the Board took the following actions:

- Requested staff to obtain the input of the SAB Implementation Committee on the proposed PP regulations;
- Stipulated that the proposed regulations would be approved on an emergency basis;
- Directed staff to continue reviewing the PP calculations and implementation for the 120-day duration of the emergency PP regulations to determine if additional modifications are necessary; and
- Directed that no new construction applications be presented to the SAB until PP regulations are in place.

Upon a motion and a second to approve the above modifications to the Priority Point proposal, the Chair requested a roll-call vote and action was taken as follows:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator O'Connell	X			
Assembly Member Firebaugh	X			
Assembly Member Steinberg	X			
Karen McGagin	X			
Duwayne Brooks	X			
Annette Porini	X			
Total	6	0	0	0

**Motion:**

Carried   X  

Failed       

Note: Several letters regarding the priority point issue were received from school districts and various organizations. In addition, a letter from the California Building Industry Association was hand-delivered to the Board.

### **TRANSFER OF CLASS SIZE REDUCTION FUNDS (CSR)**

In considering this item, the Board approved the staff's recommendation.

### **REPORTS**

#### ***Continuation High and Community Day Schools***

In considering this item, the Board accepted the report as presented.

### **INFORMATION/REFERENCE**

***Apportionment List – California Department of Education Class Size Reduction Program from the 2000-2001 Budget Act***

***Board Meeting Dates for the 2000 Calendar Year***

***Deferred Maintenance Program/Critical Hardship Unfunded Approvals List as of August 23, 2000***

***School Facility Program Workload Listing through September 18, 2000***

There being no further business to come before the Board, the Chair adjourned the meeting at 2:11 p.m.

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LUISA M. PARK, Interim Executive Officer

## **ATTACHMENT “A”**

Following is a list of individuals who addressed the Board regarding their concerns about the proposed regulations relating to funding priorities for new construction projects under the School Facility Program (Tab 8, page 353 of the SAB agenda):

- Dave Walrath – Small School Districts’ Association
- Barry Bush – School Board Member, Nuview School District, Riverside Co.
- David MacEwan – Assistant Supt., Nuview School District, Riverside Co.
- Fabian Nunez – Los Angeles Unified School District (LAUSD)
- Kevin Reed – Attorney representing the LAUSD
- Stephen English - Attorney from the law firm of English, Munger & Rice
- Ernest Silva – County School Facilities Consortia
- Tom Duffy – Coalition for Adequate School Housing (CASH)
- Constantine Baranoff – Facilities Director, Elk Grove Unified School District
- Richard Lyon – California Building Industry Association (CBIA)
- Nick Cammarota – General Counsel, CBIA
- Stacy Selmants – Folsom/Cordova Unified School District
- Ruben Smith – Santa Ana Unified School District
- David Hutt – Superintendent, Buellton Union High School
- Mark Epstein – Marketing Manager, California Financial Services
- Susan Stuart – Represents 19 Superintendents in Contra Costa County
- Lee Freeman – School Board Member, San Gabriel Unified School District
- Gary Goodson – Superintendent, San Gabriel Unified School District
- Kristen Schreder – School District Consultant, Jack Schreder & Associates
- Robert Slaby - Superintendent, Salinas Unified School District
- Patrick Sweeney - Superintendent, Patterson Unified School District
- Syma Greene - Legislative Advocate, Los Banos USD & Hawthorn Elementary
- John Golden – Superintendent, Etiwanda School District
- Richard Beck – Assistant Superintendent, Hemet Unified School District
- Ethan Browning, Jr. – Director, Facilities Development, San Ramon Valley USD